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DANIEL S. ROBINSON (SBN: 244245)  
KARREN SCHAEFFER (SBN: 116189)  
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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

IN RE: TOYOTA MOTOR CORP.  
UNINTENDED ACCELERATION  
MARKETING, SALES PRACTICES,  
AND PRODUCTS LIABILITY  
LITIGATION

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ELLYN J. BRODEN and BARRY C.  
BRODEN,

Plaintiffs,

vs.

TOYOTA MOTOR SALES, U.S.A., INC.,  
a California corporation;  
TOYOTA MOTOR CORPORATION, a  
foreign corporation;  
TOYOTA MOTOR NORTH AMERICA,  
INC., a California corporation;  
TOYOTA MOTOR ENGINEERING &  
MANUFACTURING NORTH  
AMERICA, INC., a Kentucky  
corporation;  
and DOES 1 through 10, Inclusive,

Defendants.

8:10ML2151 JVS (FMOx)

MDL 2151

Honorable James V. Selna

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Case No. CV10-02228 DSF (MANx)

**VOLUNTARY DISMISSAL**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

1 PLEASE TAKE NOTICE that Plaintiffs ELLYN J. BRODEN and BARRY C.  
2 BRODEN hereby voluntarily dismiss, without prejudice and without costs, the above-  
3 captioned action in its entirety, whereby Plaintiffs may, at their option, later pursue their  
4 claims, including in an alternate court, jurisdiction or venue.

5 Pursuant to *Fed. Rules of Civil Proc., Rule 41(a)(1)(i)*, Plaintiffs have the absolute  
6 right to dismiss the action "without order of the court" by filing a notice of dismissal "at  
7 any time before service by the adverse party of an answer or of a motion for summary  
8 judgment." See *Commercial Space Mgmt. Co., Inc. v. Boeing Co., Inc.* (9<sup>th</sup> Cir. 1999)  
9 193 F.3d 1074.

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11 Dated: October 12, 2010

Respectfully submitted,

ROBINSON, CALCAGNIE & ROBINSON

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13 By:   
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